



Clearing the Air on the DNR Air Management Program's New Structure

The Wisconsin Department of Natural Resources (DNR) spent six months in 1995 studying its organization in an effort to improve its customer focus. Over the next few years DNR set up the new structure and phased in reorganization of each DNR program. Much of the DNR was restructured or reorganized by January 1997.

The DNR's Air Management Program (Air Program) began operating under their new structure in January 1997. Four **Industrial Process Focus Sections** created within the Air Program now provide a 'one-stop air shop' for businesses.

Finding Your Way Around the Reorganized Air Program

What types of businesses are covered by each Industrial Process Focus Section (Industrial Section)? It is not always obvious based on the name of the Industrial Section. See the sidebar (on page 3) for the name of each section and a list of the industries for which they are responsible.

Each Industrial Section includes staff with experience in:

- permits and related rules/rule writing;
- emissions modeling (performed for each permit review);
- Air Emissions Inventory reporting system;
- compliance and enforcement rules and policies.

Each staff member utilizes their expertise on issues for one or more of the industry types covered by their Industrial Section. An engineer in the General Manufacturing Section focuses on Foundries and the Chemical Industry for both permit and rule writing/policy/guidance issues. For example: whenever the U.S. Environmental Protection Agency (USEPA) publishes a MACT standard (stands for Maximum Achievable Control Technology) for one of those industries, that person would be the one

(Cont. on Page 3)

**NEW FROM THE
SMALL BUSINESS
CLEAN AIR
ASSISTANCE
PROGRAM...**

Fact Sheets:

X **Combustion Sources and Construction Permits**

X **VOC Sources and Construction Permits**

X **DNR Inspections - What to Expect**

X **My Permit's in Public Comment - What Does that Mean to Me**

X **EPA's New Enforcement Policy - Learn about HPV**

X **State Hazardous Air Pollutants**

X **Air Pollution Operation Permits for Small Business (updated)**

X **Environmental Information Summary (updated)**

X **Facts About VOC RACT Rules**

X **Facts About Motor Vehicle Refinishing RACT (updated)**

**To order: call (608) 264-6153 or (608) 267-9214; fax (608) 267-0436; or email
CleanAir@commerce.state.wi.us**



Answers to Your Burning Questions on Open Burning

The Wisconsin Department of Natural Resources (DNR) has a number of regulations laying out the criteria for burning materials out in the open, in piles or in a barrel (usually just called open burning). Local ordinances may be more stringent than the DNR regulations, so check with your local municipal office to see if there are any specific rules in your area. The local ordinances sometimes apply to spe-

cific materials, such as burning leaves and/or small brush.

Businesses, Industries & Municipalities

Businesses, industries and municipalities are not allowed to do any open burning unless they have a wood burning facility license from the DNR's Solid Waste

(Cont. on Page 2)

Open Burning

(cont from Page 1)

program. With a wood burning facility license they may burn clean wood waste or brush. Burning anything else by these entities requires an incinerator with energy recovery that is approved by the DNR to burn waste materials. Businesses that do annual or semi-annual yard cleanup, such as resorts and campgrounds, may be allowed to burn brush and leaves on an individual case basis. Burning woody materials from land clearing is also allowed on an individual case basis depending on the size of the project. Contact your regional DNR Air or Solid Waste Program staff to get approval for each situation.

Burning Structures and Fire Departments

Planned burns of buildings or other structures are not allowed except for the practice and instruction of fire fighters, or testing of fire fighting equipment. Fire fighter training burns are allowed with the following requirements:

- Prior to any building burn, the fire department or building owner must have the structure inspected by a certified asbestos inspector.
- The inspector's findings are used to complete the demolition notification form, which must be submitted to the DNR Air Management Program and the U.S. Environmental protection Agency (see Page 6 for details).
- Any asbestos must be properly removed and disposed of prior to the burn.
- Ash and unburned debris must be removed from the burn site and disposed of at a licensed landfill.



Individual on Residential Property

Individuals may burn (if not prohibited by local ordinances) lawn and garden debris and small quantities of clean, untreated, unpainted wood on their own residential property. Clean paper waste that is not recyclable may also be burned. Depending on the location, snow cover, and time of year, a DNR burning permit or local burning permit may be required. Outdoor fires for cooking, ceremonies, or recreation are allowed and do not require any special approval unless environmental conditions pose a great risk for forest fires.

Miscellaneous

DNR approval **is** required prior to:

- Initiating backfires to control forest fires or fires for wildlife habitat management.

DNR Burning Publications Available:

Air Management

- Frequently Asked Questions About Open Burning
- Open Burning Guide for Individual Property Owners
- Burn Barrels: An Unhealthy Method of Garbage Disposal
- The Burning Question: Open Burning Guidance for DNR staff and public officials
- The Health Hazards of Burning Leaves
- Facts on Open Burning for Business Industry and Municipalities in Wisconsin
- Burning Household Garbage: The Risks
- May buildings be burned under any circumstances? Fire Department Training
- Construction and Demolition Debris Recycling Facilities

Forestry

- Wisconsin Forest Fire Laws and Regulations
- Wildfires burn more than trees, Be aware of fire prone property

Waste Management

- Demolition Waste Disposal Options
- Summary of Open Burning/Recycling/Landfilling Requirements in Wisconsin
- Rethinking Debris
- Used Oil Management
- Asbestos Disposal Fact Sheet
- Paint Removal, Commercial and Residential
- Hazardous Waste: Your Business Responsibilities

To order these publications, contact the DNR Programs (Air, Forestry or Waste) directly. See DNR Regional Contacts on Page 4.

- Burning of gaseous or liquid waste, that is not hazardous waste.

DNR approval is **not** required prior to:

- Burning of brush or weeds on agricultural lands (except in intensive and extensive fire control areas).
- Burning of explosive or dangerous material for which there is no other safe means of disposal.
- Burning of vegetation for clearing or maintenance of right-of-ways (except in intensive and extensive fire control areas).

OTHER METHODS SUCH AS CHIPPING WOOD AND BRUSH ARE PREFERRED TO BURNING! ☒

DNR Air Management Program's New Structure (cont. from Page 1)

to learn the standard and help anyone with questions on how to apply that standard. They may also write permits for some facilities within those industries.

Get Your Question Answered on the First Try

Start with the **Section Chief** for the section that is responsible for your industry. Try to know what topic you need assistance on in as much detail as possible up front. Each section chief should know which of their staff has been assigned as the technical expert for your industry and/or the issue at hand.

If the section chief for the Industrial Section that applies to you is not available, talk to the **team leader** responsible for your topic of interest. There are team leaders for the following areas:

- Construction Permits: needed whenever you build or expand an industrial source with air pollution over the exemption levels;
- Operation Permits: needed for an entire existing facility with air pollution that is over the exemption levels;
- Compliance and Enforcement: affect you if there are any air pollution rules that apply to your facility;
- Air Emissions Inventory: each source reports emissions each year unless they are below the thresholds (The Emissions Inventory is the Air portion of the CRS (Consolidated Reporting System) that you send both air and hazardous waste information to the DNR electronically every March);
- Modeling: performed for each permit review and occasionally for nuisance odor issues;
- Monitoring: may be done for nuisance odor or dust issues if the Air Program receives complaints;
- Hazardous Air Pollutants (HAP): requirements under the state rules apply whether or not a permit is required, while being affected by the federal HAP rules can be the reason an operation permit is required; and
- Ozone Policy: would affect an individual business if the ozone group within DNR's Air Program is writing a new rule to reduce the emissions that cause ozone



Who ya gonna call?

What types of industries are in each section?

Small Business, Minerals and Petroleum

- Dry Cleaners
- Stage II Vapor Recovery Facilities
- Petroleum Storage Facilities
- Degreasers not associated with Coating
- CFC sources, including salvage yards
- Asbestos Contractors
- Asphalt Plants
- Rock Crushing Plants
- Mineral Extraction
- Auto Shredders

Printing and Coating

- Metal Furniture Coating Facilities
- Paper Coating Facilities
- Leather Coating Facilities
- Metal Fabrication Facilities
- Machinery Manufacturers
- Electrical Equipment Manufacturers
- Printers
- Transportation Equipment Manufacturers
- Miscellaneous Coating Facilities

Combustion and Forest Products

- Wood Products Manufacturers
- Wood Furniture Coating
- Pulp and Paper Industries
- Electricity Generators
- Government Steam/Heating Plants
- Hospitals
- Natural Gas Pipeline Compressing Stations
- Waste Incinerators
- Wastewater Treatment Facilities
- Miscellaneous Facilities

General Manufacturing

- Food Industries
- Foundries
- Chemical Manufacturers
- Rubber and Plastic Product Manufacturers
- Miscellaneous Manufacturers

from that particular type of business in the southeast Wisconsin nonattainment area. (Rules to reduce ozone causing emissions would affect sources with either volatile organic compound (paints or solvents) or nitrogen oxide (fuel burning) emissions.)

Keeping these topic areas in mind may help you find your way through the Air Program's organization (See DNR Contacts on page 4). ☒

DNR Air Program Contacts

Reorganized Central Office contacts for specific topics

Section Chiefs:

- ≈ Dan Johnston: Printing and Coating (Operation and Construction Permits) 608/267-9500
- ≈ Pat Kirsop: Small Business, Minerals and Petroleum (Emission Inventory) 608/266-2060
- ≈ Bill Baumann: Combustion, Forest Products (Compliance and Enforcement) 608/267-7542
- ≈ *Vacancy*: General Manufacturing (Consistency)
- ≈ Caroline Garber: Environmental Studies (HAPs) 608/264-9218
- ≈ Larry Bruss: Ozone (Ozone policy and modeling) 608/267-7543

Team Leaders:

- ≈ Construction Permit: Jeff Hanson, 608/266-6876
- ≈ Operation Permits: Keith Pierce, 608/267-0562
- ≈ Emission Inventory: Ralph Patterson, 608/267-7546
- ≈ Compliance/Enforcement: Colin Duffy, 608/266-9767
- ≈ HAPs: Roger Fritz, 608/266-1201
- ≈ Ozone Policy: Robert Lopez, 608/267-5284
- ≈ Modeling: Mike Majewski (ozone transport), 608/266-7679; John Roth (stationary source), 608/267-0805

Regional Office contacts for open burning and other site specific issues

NORTHERN REGION

810 W. Maple Street
Spooner, WI 54801
(715) 635-2101

NORTHERN REGION

P.O. Box 818
Rhineland, WI 54501
(715) 365-8900

WEST CENTRAL REGION

P.O. Box 4001
Eau Claire, WI 54702-4001
(715) 839-3700

NORTHEAST REGION

1125 N. Military Avenue
P.O. Box 10448
Green Bay, WI 54307
(920) 492-5800

SOUTHEAST REGION

2300 N. Martin Luther King Jr. Dr.
P.O. Box 12436
Milwaukee, WI 53212
(414) 263-8500

SOUTH CENTRAL REGION

3911 Fish Hatchery Road
Fitchburg, WI 53711
(608) 275-3266

How Bad IS the Ozone Level in the Air You Breathe? The New Air Quality Index

The Air Quality Index, or AQI, is a scale used to report the actual levels of ozone and other pollutants in the air. The higher the AQI value, the greater the health concern. As shown in the table, the AQI scale has been divided into categories that correspond to different levels of health concern.

A specific color has been assigned to each AQI category. This color scheme can help you quickly determine if air pollutants are reaching unhealthy levels in your area.

You may see the AQI for ozone reported in your newspaper or on your local television or radio station. For information about ozone and its health affects as well as the local daily ozone levels, check out the DNR website at:

[//www.dnr.state.wi.us/org/aw/air/ozone/ozone.htm](http://www.dnr.state.wi.us/org/aw/air/ozone/ozone.htm).

Click on the AIRNOW link to EPA's site for national maps using this color code for daily ozone levels. ☒

Index Values	Descriptors	Color Codes	Cautionary Statements
0 to 50	Good	Green	None
51 to 100	Moderate	Yellow	Sensitive people should <u>consider limiting</u> prolonged outdoor exertion.
101 to 150	Unhealthy for Sensitive Groups	Orange	Active children and adults, and people with respiratory disease should <u>limit</u> prolonged outdoor exertion.
151 to 200	Unhealthy	Red	Active children and adults, and people with respiratory disease should <u>avoid</u> prolonged outdoor exertion; others, especially children, should <u>limit</u> .
201 to 300	Very Unhealthy	Purple	Active children and adults, and people with respiratory disease should <u>avoid</u> all outdoor exertion; all others, especially children, should <u>limit</u> .

The WiSCon Program

In the Department of Commerce

The Wisconsin Department of Commerce's Safety Consultation (WiSCon) Program helps employers provide a safe and healthy work environment for employees. WiSCon offers occupational health and safety consultations to assess worksite safety and health management systems, identify hazards, and helps facilities prevent accidents, illnesses, and fatalities.

The consultation program is completely separate from OSHA's enforcement branch. In addition, the service is confidential. Your name, your firm's name, and any information you provide about your workplace, plus any unsafe or unhealthful working conditions that the Consultant uncovers will be not be reported to OSHA enforcement staff. However, a report is filed with another branch of OSHA not involved in enforcement.

When using WiSCon, your only obligation will be to commit yourself to correcting **serious** job safety and health hazards in a timely manner...a commitment you would be expected to make prior to visit from WiSCon.

Since the consultation process is voluntary, you must request it. A WiSCon consultant will discuss your needs and then set up a visit. To schedule a consultation:

- call: 1-800-947-0553 (S) or 608-266-9383 (H)
- fax: 414-521-5188(S) or 608-266-9711(H)
- e-mail: wiscon@commerce.state.wi.us

WiSCon will schedule an appointment to visit your facility. After an opening conference, where the Consultant will confirm the scope of their visit, a walk through of the work area(s) **you specify** may be conducted. The consultation may also include an assessment of your health and safety program. At a closing conference that day, preliminary findings and recommendations are explained.

Following the visit, the Consultant evaluates the information collected and sends you a confidential, comprehensive report of their findings. The report will provide specific recommendations and will note the identified hazards, some of which may be considered serious. Employers are required to correct all serious hazards within a time frame agreed upon at the closing conference. Employers are asked to inform WiSCon of the action taken to correct unsafe workplace conditions, and complete and return the employer report of action taken.

Council's Corner...

An Experience With WiSCon

As a member of the Small Business Environmental Council and owner of a foundry, I felt it was important to provide some insight to any small business that might consider using the WiSCon Safety Consultation (WiSCon) service provided by the Wisconsin Department of Commerce.

We used the safety consultation provided by WiSCon at the foundry and found it to be very beneficial for a number of reasons. The consultant was very knowledgeable and thorough in going through all the OSHA requirements. They have a long checklist they go through to be sure that they touch on everything during their inspection. It took a full day to complete the consultation visit. Once the visit is complete, you are immune from an official OSHA inspection for 30 days following receipt of the WiSCon inspector's report. This gives you time to correct any "violations" they found. There are also no fines issued for any violations found.

There are a few issues that you should be aware of and should get clarified prior to beginning any consultation by WiSCon:

? How are they going to "rate" any violations they find? What things are considered a "serious" violation?

? While they say they don't submit copies of their findings to OSHA, do they have any requirement to submit any records of the visit to anyone in OSHA?

? If they do submit a record of any "serious" violations to a non-enforcement branch of OSHA, how can they assure you that OSHA's enforcement branch can not obtain copies of records of the WiSCon consultant's findings?

I do recommend you make an appointment with the WiSCon consultants. If you do, it may be wise to have someone take detailed notes on any pre-inspection discussions. The consultants are thorough and the OSHA requirements numerous, so you don't want to leave anything to chance.

Sincerely,


East Tools Inc.

Building Renovation or Demolition Planning

Know Your Asbestos Regulations!

Requirements

A building owner or operator (owner, lessee, contractor or consultant) must inspect any structure(s) they plan to renovate or demolish and notify the Wisconsin Department of Natural Resources (DNR) if **any** asbestos-containing material (ACM) is present.

Chapter NR 447 in the Wisconsin Administrative Code spells out the kinds of situations in which asbestos removal is regulated, as well as building inspection and notification requirements. The inspection and notification must occur **before** the renovation or demolition begins. The inspector must be certified per Wisconsin Department of Health and Family Service regulations. Notification requirements and fee structure are based on the project type and size.

All **regulated** asbestos-containing material (RACM) must be removed prior to a renovation or demolition. Regulated ACM is that which is or may become friable. For a demolition, resilient floor covering and asphalt roofing products in good condition may be left in place and handled and disposed of as demolition waste. Demolition waste must be taken to a land fill approved to accept such waste.

Exemptions

Residential structures and apartments with four or fewer dwelling units may be exempt from these requirements. However, if they are being demolished as part of a commercial or other development project, such as a Department of Transportation road project or a municipal urban renewal, the owner/developer must notify DNR.

A recent U.S. Environmental Protection Agency (USEPA) policy indicates that a single (one structure only), isolated (not part of a larger project) residential dwelling unit is exempt from the notification requirements, regardless of ownership or intended use of the property, unless it is being used for a fire department's training burn.

Fire department training burns are considered demolitions, but the DNR exempts them from the fee requirements if the structure is a single or isolated residence or a privately owned residence. However, even fee-exempt training burns must still comply with the asbestos renovation/demolition reporting require-

ments. All RACM must be removed prior to any fire training burn.

Notification Requirements and Fees

The owner or operator must submit a DNR for (Form 4500-113) for all regulated demolition projects, regardless of the amount of asbestos to be removed. This form is also required for renovations if the amount of friable asbestos to be removed is at least 260 linear feet, 160 square feet or 35 cubic feet. Notification must be post-marked at least 10-working days prior to the start date of the project. The fees apply to renovation and demolition projects which must file notification with the DNR. The following non-refundable fees must be included with the notification:

- * **\$50** for demolition projects involving less than 260 linear feet or less than 160 square feet of friable asbestos containing material or nonfriable asbestos.
- * **\$150** for renovation or demolition project involving removal of at least 260 linear feet or at least 160 square feet of friable asbestos containing material. The combined total footage of the reportable amounts must be less than 1000.
- * **\$325** for renovation or demolition projects involving removal of friable asbestos containing material with a combined total footage of the reportable amounts greater than 1000.

Questions about asbestos renovation/demolition requirements can be directed to Bob Sloan, DNR Asbestos Coordinator, at 608/266-3658. More information on this subject is available on the DNR website: www.dnr.state.wi.us/org/law/air/reg/asbestos, and the USEPA website: www.epa.gov/oeca.

Asbestos projects are also regulated by the Wisconsin Department of Health and Family Services, Division of Health at 608/266-9379, and the Occupational Safety and Health Administration, Madison Office at 608/441-5400. For asbestos-related projects in State of Wisconsin owned structures, contact Tim Stratton, Department of Administration, Division of Facilities Development at 608/261-4348.



Hot Topics in DNR's Air Program

Check them out at www.dnr.state.wi.us/org/aw/air/hot/index

Wisconsin's Status Under the 1-Hour Ozone Standard

The State of Wisconsin must submit an Ozone Attainment Demonstration Plan for the 1-hour ozone standard to the U.S. Environmental Protection Agency (EPA) by December 31, 2000. To do this, the DNR must find a way to improve southeastern Wisconsin's air quality to a healthy level as defined by EPA. The DNR's Air Program has been working hard with other Great Lake states to prepare the plan.

Since the promulgation of the 1-hour ozone standard, the states of Wisconsin, Illinois, Indiana and Michigan have been working together towards attainment of the standard under a group they call the Lake Michigan Air Directors Consortium (LADCO). LADCO has performed region wide modeling to determine which of the emissions reductions measures proposed by the states will actually bring the region into attainment.

On March 3, 2000, a Washington D.C. District Federal Appeals Court made a ruling on EPA's NO_x SIP Call. In one of the ten rulings, the Appeals Court found that there was NOT enough support for including Wisconsin. If that decision is upheld, EPA cannot require Wisconsin to implement additional NO_x reductions.

The DNR Air Program will continue to work with LADCO to run modeling to determine which of their proposed measures will bring the state into attainment. They are proposing different combinations of:

- * reductions in NO_x emissions from large electricity generating units, located in and around the existing ozone nonattainment area, and
- * limits on NO_x levels allowed from vehicles tested in the ozone nonattainment area, similar to the VOC levels in place now.

Details on the **proposed** Ozone Attainment Demonstration Plan are on the DNR Air Program Hot Topics website. ☺

Revisions to Chapter NR 445

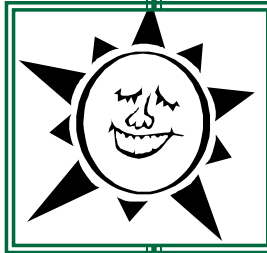
Wisconsin has had a rule regulating hazardous air pollutants (HAP) since 1988. The HAP rule is implemented through chapter NR 445 of the Wisconsin Administrative Code. Since the DNR's Air Program first wrote that rule, the scientific data it was based on has been updated a number of times. Ensuring that the HAP rule is based on the most recent scientific data is a high priority for the Air Program.

In order to involve all affected groups in the state, the DNR Air Program has formed the NR 445 Technical Advisory Group (TAG). Staff in the Environmental Studies section of the Air Program are facilitating the TAG meetings. The NR 445 TAG has been charged with providing the following input to the DNR Air Program: If you are interested, there are ways to get involved

1. Criteria for listing additional chemicals and setting threshold emission levels in NR 445.
2. Estimating emissions and impact of new listings on industry as well as technical feasibility of complying with new limits.
3. Monitoring, record keeping and reporting requirements.
4. Integrating NR 445 with permit requirements in NR 406 and 407 and reporting under NR 438.
5. Reformatting the rule to make it clearer and easier to comply with.
6. Address compliance issues that should be included in new rule.
7. Review draft language for clarity.

in this rule process. Participate in all future TAG discussions if you want to get detailed information and provide input on each decision item. If you want to get the basic information and provide general comments, there will be a series of listening sessions held around the state.

Information on these meetings can be found on the DNR Air Program Hot Topics website. ☺



Small Business Clean Air Assistance Program Staffing at Full Strength...

After a gap of eight months, the Small Business Clean Air Assistance Program (SBCAAP) is back to full strength. We would like to welcome, Renée Lesjak Bashel, who left the Wisconsin Department of Natural Resources' Air Program to join us at the SBCAAP.

Renée spent eight years in DNR's Air Program working on a variety of tasks. For the first five years at DNR Renée worked at the South Central Region, which covered the 14 counties in south central and southwest Wisconsin. Renée performed compliance inspections in two counties and wrote operation and construction permits for sources throughout that district. She also helped draft rules that regulated VOCs (volatile organic compounds) in the ozone nonattainment counties in southeast Wisconsin. Starting in 1994, Renée wrote operation permits for the South Central Region under the new Operation Permit Program.

In 1997 Renée left the South Central Region for the Air Program's central office in downtown Madison to become the Team Leader for the Operation Permit Standing Team. This position allowed her to work with permit writers around the state and to also issue a few permits for sources in each of the other regions.

Along with the experience in air pollution regulations, Renée brings the scientific background that comes from having a Bachelor of Science in Chemistry from St. Joseph's College, Rensselaer, IN and a Bachelor of Science in Chemical Engineering from UW-Madison.

So now if you need some assistance from the SBCAAP you can reach Renée at 608/264-6153 or you can send email to rlesjakbashel@commerce.state.wi.us. She will be more than willing to help you over the phone, send you some of our fact sheets, or even visit in person. ☺

WISCONSIN DEPARTMENT OF COMMERCE

The Small Business Clean Air Advisor is published by the Wisconsin Department of Commerce, Brenda J. Blanchard, Secretary. To obtain free copies or to be placed on the mailing list, contact:

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